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PTO/SB/21 (10-08)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/773,266	RECEIVED DEC 15 2008 OFFICE OF PETITIONS
	Filing Date	February 9, 2004	
	First Named Inventor	JU, Chi-Cheng	
	Art Unit	2828	
	Examiner Name	HSU, Joni	
Total Number of Pages in This Submission	4	Attorney Docket Number	3722/0176P

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): NOTIFICATION OF ERRONEOUS PAYMENT OF SMALL ENTITY FEES UNDER 37 C.F.R. § 1.28
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Muncy, Geissler, Olds & Lowe, PLLC		
Signature			
Printed name	Joe McKinney Muncy		
Date	December 3, 2008	Reg. No.	32,334

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Joe McKinney Muncy	Date	December 3, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): JU, Chi-Cheng	Examiner: HSU, JONI
Application No.: 10/773,266	Art Unit: 2628
Filed: 9 Feb 2004	Confirmation Number: 8567
Title: MEMORY ACCESS METHOD FOR VIDEO DECODING	Patent No. 7,420,567
Attorney Docket No.: 3722/0176P	Issue Date: September 2, 2008

Commissioner for Patents
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**NOTIFICATION OF ERRONEOUS PAYMENT OF
SMALL ENTITY FEES UNDER 37 C.F.R. § 1.28**

Dear Sir:

It is respectfully noted that the above-identified application does not qualify for small entity status under 37 C.F.R. § 1.27(a).

Small entity status was established with the filing of the application on February 9, 2004, and the small entity filing fee was paid in good faith. It was subsequently discovered that this status as a small entity was established in error, without the intent to deceive.

On March 4, 2005, a "Notification of Loss of Small Entity Status and Erroneous Payment of Small Entity Fees under 37 CFR § 1.28" was filed, advising the U.S. Patent and Trademark Office of the error, requesting that the error be excused, and providing a fee deficiency payment. Subsequent fees were paid at the large entity rate.

However, on March 6, 2008 an extension of time fee was mistakenly paid at the small entity rate, and on July 31, 2008 the issue fee was mistakenly paid at the small entity rate. It is therefore respectfully requested that these additional errors be excused. The following items are being submitted to comply with the requirements of 37 C.F.R. 1.28(c):

- (1) Separate submission for each application or patent.

This request is being submitted in connection with U.S. Patent 7,420,567.

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Application No. 10/773,266
Attorney Docket No. 3722/0176P
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(2) Payment of deficiency owed.

A PTO/SB/38 form is attached hereto, authorizing the U.S. Patent and Trademark Office to charge the total deficiency owed. The particulars of the fee(s) owed are set forth below.

Type of Fee	Date Small Entity Fee Paid	Current Fee Amount	Amount of Small Entity Fee Paid
Extension of time	03/06/2008	\$130.00	\$60.00
Issue fee	07/31/2008	\$1810.00	\$720.00
		(a) SUB-TOTAL \$1940.00	(b) SUB-TOTAL \$780.00
		TOTAL DUE (a - b)	\$1,160.00

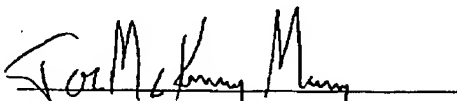
It is again noted that the previous establishment of small entity status was made in error, without the intent to deceive. As it is believed that the requirements of 37 C.F.R. § 1.28(c)(1) and (c)(2) have been met, it is respectfully requested that the error be excused and that the U.S. Patent and Trademark Office forward appropriate notification to the undersigned.

Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Joe McKinney Muncy, Applicants' Attorney, at 703.621.7140 so that such issues may be resolved as expeditiously as possible.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3828 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; in particular, extension of time fees.

Date: December 3, 2008

Respectfully submitted,


Joe McKinney Muncy
Attorney/Agent for Applicant(s)
Reg. No. 32334

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